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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,179	01/27/2004	Marcus Wang	426.32B	3693
27019	7590	02/24/2005	EXAMINER	
THE CLOROX COMPANY 1221 BROADWAY PO BOX 2351 OAKLAND, CA 94623			WALCZAK, DAVID J	
			ART UNIT	PAPER NUMBER
			3751	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/766,179	Applicant(s) WANG ET AL. 	
	Examiner David J. Walczak	Art Unit 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33-46 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-14, 17, 19, 20, 30 and 31 is/are rejected.
- 7) ☒ Claim(s) 15, 16, 18 and 21-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4, 6-9, 12, 13, 17, 19, 30 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Schultz et al. (hereinafter Schultz). Schultz discloses a system for treating a work surface comprised of a handle portion (spray bottle 12) having proximal and distal ends, a first coupling 28 on the distal end, a first tool head 30 having a plurality of surfaces wherein the first tool head is adapted for use with a removable pad 16 (see column 4, lines 5-8) mounted on at least a portion of a first surface of the first tool head and having a second coupling 34 on a second surface of the first tool head, the second coupling 34 being capable of connecting to and disconnecting from the first coupling 28 on the handle portion 12, a second tool head (see column 1, lines 61-64 and column 2, lines 33-36) of similar configuration of the first tool head, i.e., having a plurality of surfaces and having a third coupling for engagement with the first coupling 28 and a first fluid reservoir (in the bottle 12) for delivering fluid to a work surface. It is here noted that the proximal end of the bottle 12 defines a "hand gripping surface", i.e., this surface of the bottle is capable of being gripped by the hand of a user

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should the user so choose to employ the device. In regard to claim 4, Schultz discloses that the connection between the first and second couplings is mechanical and frictional (see column 3, lines 35-40). In regard to claim 6, Schultz discloses a controlling mechanism 19, 20 adjacent the handle portion 12 for regulating the release of fluid. In regard to claim 7, Schultz discloses that the second tool head can comprise brushes (see column 1, lines 61-64) which are inherently formed with bristles. In regard to claim 8, Schultz discloses that the second tool head can be adapted for use with a removable pad on at least a portion of the second surface (see column 3, lines 61-64 and column 4, lines 5-8). In regard to claim 9, Schultz discloses that the second tool head comprises at least one device selected from the group of squeegees, scrubbers, absorbent pads and disposable cleaning pads (see column 1, lines 61-64, column 3, lines 61-67 and column 4, lines 1-8). In regard to claim 12, Schultz discloses that the first fluid reservoir is a physically pumped reservoir (see column 3, lines 3-17). In regard to claim 13, Schultz discloses a controller for releasing and stopping fluid flow from the reservoir (see column 3, lines 11-17). In regard to claims 17 and 19, Schultz discloses that the connection between the first coupling 28 and the second or third couplings 34 includes at least one axis of rotation (see column 3, lines 46-51). In regard to claim 30, Schultz discloses that treating a work surface is selected from the group of cleaning (see column 1, lines 61-62), scrubbing (see column 2, lines 25-27) and removing liquids (see column 3, lines 65-67). In regard to claim 31, Schultz discloses that the work surface is selected from automobile surfaces (see column 1, lines 18-21), windows, countertops and other hard surfaces (see column 2, lines 23-25).

Claims 1, 2, 4-14, 17, 19, 20, 30 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Fu. Fu discloses a system for treating a work surface comprised of a handle portion 12 having a proximal end and a distal end 32 wherein the distal end 32 includes a first coupling 40 and the proximal end defines "hand gripping surface", i.e., the portion 26 of the handle 12 which is positioned exterior of reservoir 14 defines a "hand gripping surface" at the proximal end of the handle in that this surface of the handle is capable of being gripped by the hand of a user should the user so choose to employ the device, a first tool head 24a having a plurality of surfaces and adapted for use with a removable pad 146 mounted on at least a portion of a first surface of the first tool head and having a second coupling 100 on a second surface of thereof, the second coupling 100 being capable of connecting to and disconnecting from the first coupling 40, a second tool head 24b having a plurality of surfaces and having a third coupling 200 being capable of connecting to and disconnecting from the first coupling 40, and a first fluid reservoir 14 for delivering fluid to the work surface. In regard to claim 2, the handle 12 can be extended and retracted (see 0024). In regard to claim 4, the connection between the first and second coupling is mechanical. In regard to claim 5, the end of the handle defines a cradle for securing the fluid reservoir. In regard to claim 6, a controlling mechanism 58 adjacent the handle portion allows a user to regulate the release of fluid. In regard to claim 7, one of the tool heads can comprise bristles (see 0047). In regard to claim 8, one of the tool heads is adapted to use a removable pad such as a sponge (see 0047). In regard to claim 9, the second tool head includes a squeegee 266 and an absorbent pad 264. In regard to claim 10, handle 16, constituting

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another tool head, includes an electric motor (see 0026, 0033). In regard to claim 11, reservoir 14 is detachable (see 0024). In regard to claim 12, reservoir 14 is a physically pumped reservoir (via pump 22). In regard to claim 13, control switch 28 controls the releasing and stopping of fluid flow. In regard to claim 14, since Fu discloses that the reservoir 14 can contain one of various fluids (see 0025), it is considered that to use one reservoir to hold soap (i.e., for cleaning purposes) and another reservoir to hold water (i.e., for rinsing) is considered to be within the purview of Fu. In regard to claim 17, the connection between the first and second couplings includes at least one axis of rotation (see 0038). In regard to claim 19, the connection between the first and third couplings includes at least one axis of rotation. (see 0043). In regard to claim 20, locking mechanism 256 is capable of locking at least one axis of rotation. In regard to claim 30, the treating is selected from cleaning and scrubbing (see 0002, 0047). In regard to claim 31, the work surface is selected from floors, windows and other surfaces (see 0002).

Allowable Subject Matter

Claims 15, 16, 18 and 21-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 33-46 are allowed.

Response to Arguments

Applicant's arguments filed 12/3/04 have been fully considered but they are not persuasive. The Applicant contends that the Schultz and Fu references are not applicable against claim 1 in that they do not define a hand gripping surface on the proximal end of the handle portion. As discussed in detail above, however, the proximal ends of the handle portions in the Schultz and Fu device define "hand gripping surfaces". The fact that these references do not disclose that the proximal ends of the handle portions are intended to be gripped is not an indication that the proximal ends do not define gripping surfaces, i.e., these surface are capable of being gripped and are therefore correctly defined as being "hand gripping surfaces".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Walczak whose telephone number is 571-272-4895. The examiner can normally be reached on Mon-Thurs, 6:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on 571-272-4835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David J. Walczak
Primary Examiner
Art Unit 3751

DJW
2/19/05